

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TYLER ERDMAN,

Case No.: 1:20-cv-04162
(LGS)(GWG)

Plaintiff,

against

AFFIDAVIT OF ADAM
VICTOR

ADAM VICTOR,

Defendant.

STATE OF NEW YORK

ss:

COUNTY OF NEW YORK

1. I am the Defendant in the abovementioned action and I make this Affidavit in accordance with the Order of the Honorable Gabriel W. Gorenstein dated August 25, 2023.

2. In a previous submission to the Court, I had delineated the efforts I undertook in order to make possible the document production provided earlier this year.

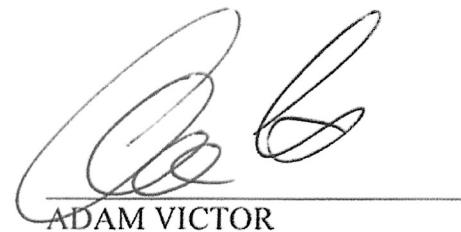
3. I performed a review of the data contained in my cell phone. The only documents in my phone are contained in apps I use, namely Adobe and Dropbox. When I reviewed my Adobe account, I found about fifty documents on my phone. After I reviewed those documents with my attorney, Mr. Emilio Rodriguez, we did not come across any document responsive to Plaintiff's discovery demands.

4. In terms of the Dropbox account, my attorneys forwarded the requisite passwords on November 3, 2022 to my document service provider, TransPerfect, so they could determine how many records were there and if they were duplicates of documents

already part of previous productions. All searches conducted were done of documents to the present day. Those documents were produced late last year and earlier this year in March.

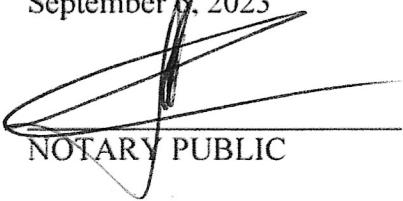
5. On Thursday, November 3, 2022, TransPerfect was also sent the passwords for the email accounts mentioned in Plaintiff's document requests, namely nazym@tgds.com, yevgeniya@tgds.com. The ones for sonja@tgds.com and tiffany@tgds.com were replaced by newer accounts over time, as I had a 10-account limit and had to recycle accounts to stay under the 10 account threshold. TransPerfect undertook the download of email and compared them to the documents already produced to the Plaintiff. A production was made after a review by a team of attorneys.

Dated: New York, New York
September 6, 2023



ADAM VICTOR

Sworn to before me on
September 6, 2023



NOTARY PUBLIC

ALFRED POLIZZOTTO III
Notary Public, State of New York
No. 02PO4976096
Qualified in Kings County
Commission Expires January 14, 2027